

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER ZONIS,

Plaintiff,

-v-

LIZZIE GRUBMAN et al.,

Defendants.

20-CV-7181 (JMF)

ORDER OF SERVICE

JESSE M. FURMAN, United States District Judge:

Plaintiff, appearing *pro se*, brings this action invoking the Court's federal question jurisdiction and asserting claims for infringement in violation of the Copyright Act. Plaintiff also asserts state law claims. By order dated September 8, 2020, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis*. See ECF No. 3.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, Plaintiff is entitled to rely on the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

The U.S. Marshals Service attempted to serve Defendant Lizzie Grubman with the summons and Complaint in this action on November 13, 2020, at an address that Plaintiff provided, but the Process Receipt was returned unexecuted. See ECF No. 10. Accordingly, the Marshals are now directed to attempt **personal service** on Ms. Grubman at her registered business addresses (attached). By separate Order to be entered today, the Court extended

Plaintiff's deadline to serve Ms. Grubman to **July 12, 2021**, in light of his previous, unsuccessful service attempts. *See* ECF No. 41.

To allow Plaintiff to effect service on Defendant Lizzie Grubman through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for Ms. Grubman, noting that service shall be made **personally, not by mail**. The Clerk of Court is further instructed to issue a summons and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Ms. Grubman.


CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff.

The Clerk of Court is further instructed to complete the USM-285 forms with the addresses for Lizzie Grubman and deliver to the U.S. Marshals Service all documents necessary to effect service.

SO ORDERED.

Dated: May 13, 2021
New York, New York



JESSE M. FURMAN
United States District Judge

DEFENDANTS AND SERVICE ADDRESSES

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